

Report Date: February 8, 2008

**United States District Court**

for the

**Eastern District of Washington****Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FEB 11 2008

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Marcelino Salas Olvera

Case Number: 2:07CR00168-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, U.S. District Judge

Date of Original Sentence: 10/12/2005

Type of Supervision: Supervised Release

Original Offense: Transportation of an Unlawful  
Alien within the United States, 8 U.S.C. § 1324  
(a)(1)(A)(ii) and (a)(B)(ii)

Date Supervision Commenced: 9/6/2007

Original Sentence: Prison - 30 Months; TSR - 36  
Months

Date Supervision Expires: 9/5/2010

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 20 You shall reside in a residential reentry center for a period of up to 180 days. This placement may include a prerelease component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

**CAUSE**

On December 3, 2007, Your Honor modified the conditions of supervised release to include search condition, abstaining from alcohol and illegal controlled substances, urinalysis testing, not entering any establishment where alcohol is a primary item of sale, and 180 days of home confinement with electronic monitoring. This was an intermediate sanction for multiple occasions of poor compliance with the conditions of supervision. There have been several instances of the home confinement program rule violations prior to this report being filed that have been resolved with verbal reprimands. Mr. Olvera has been on the Home Confinement Program with electronic monitoring since December 21, 2007. On February 4, 2008, Marcelino Olvera failed to return to his residence as scheduled. He was scheduled to return after work each night at 11:00 p.m. He did not arrive at the residence until February 5, 2008, at 9:04 a.m. He left the residence at 9:08 a.m. He has since continued to not follow the home confinement schedule established. He has also struggled with maintaining regular substance abuse treatment attendance. He has failed to appear for urinalysis testing on December 11, 20, and 26, 2007, and January 22, 2008.

After reviewing the matter with Mr. Olvera, he has agreed to the above modification which would allow for him to maintain employment, and continue with substance abuse treatment. It should be noted if Mr. Olvera cannot maintain the appropriate level of compliance while at the Residential Reentry Center, the undersigned officer will be approaching the Court requesting immediate official action.

Prob 12B

**Re: Olvera, Marcelino Salas**

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:


2/8/08  


Richard B. Law  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

2/11/08  
Date